

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/590,441
Applicant : Hirokazu Inoue
Filed : August 23, 2006
Title : METHOD OF INDUCING HOMOLOGOUS
RECOMBINATION

Customer No. : 000,116
Docket No. : 41066

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

This communication is in response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures (form PCT/DO/EO/922) dated May 4, 2007. A copy of that Notice is enclosed. The Notice set a two-month period for response, which will expire July 4, 2007.

The Notice indicated that applicant must provide the following:

1. Computer Readable Form ("CRF") of the "Sequence Listing,"
2. Paper or compact-disc copy of the Sequence Listing,
3. An amendment specifically directing its entry into the application, and
4. A statement that the content of the sequence listing information recorded in the CRF is identical to the written (paper or compact-disc copy) Sequence Listing.

With respect to items 1-2 and 4 above, these were already filed on entry into the U.S. national-phase. Please see the enclosed copy of our return-receipt postcard, which was date-stamped by the USPTO on August 23, 2006 acknowledging receipt by the USPTO of, among other things:

- Seq. Listing (17 pgs.)
- CD-ROM (2 copies)
- Statement regarding computer readable form of sequence listing

The 17-page Sequence Listing mentioned above, which was received by the USPTO, was the written Sequence Listing required by 37 CFR § 1.821(c). The CD-ROMs mentioned above, also received by the USPTO, are two copies of the CRF of the Sequence Listing, required under 37 CFR § 1.821(e). Please note they were labeled "Copy 1 of 2" and "Copy 2 of 2," and are two complete copies of the CRF; see attached Exhibit A. Finally, the Statement regarding computer readable form of sequence listing, also received by the USPTO, was the statement required by 37 CFR § 1.821(f).

Regarding item 3 above, after consultation with Mr. Brian Lin of the PCT Legal Office at the USPTO, it is believed that no amendment directing entry of the Sequence Listing into the application is required. The Sequence Listing was part of PCT application PCT/JP2004/012516 (of which the present application is the U.S. national phase), and accordingly has been made available to the USPTO by the International Bureau. Because the Sequence Listing was part of the PCT application, it constitutes part of the U.S. application on entry into the U.S. national phase, and no amendment directing its entry is believed to be required.

If there are any questions regarding this submission, please contact Mr. Brian Lin of the PCT Legal Office (phone – 571-272-3303) or the undersigned.

If there are any fees resulting from this communication, please charge said fees to
Deposit Account No. 16-0820, Order No. 41066.

Respectfully submitted,

PEARNE & GORDON LLP

By: 

Steven J. Solomon, Reg. No. 48719

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: June 20, 2007

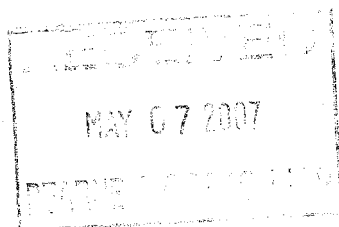


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/590,441	Hirokazu Inoue	41066

116
 PEARNE & GORDON LLP
 1801 EAST 9TH STREET
 SUITE 1200
 CLEVELAND, OH 44114-3108



INTERNATIONAL APPLICATION NO.	
PCT/JP04/12516	
I.A. FILING DATE	PRIORITY DATE
08/31/2004	

CONFIRMATION NO. 6096
 371 FORMALITIES LETTER



OC000000023677981

Date Mailed: 05/04/2007

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821 (e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

COPY

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/590,441	PCT/JP04/12516	41066

FORM PCT/DO/EO/922 (371 Formalities Notice)

ARTIFACT SHEET

Enter artifact number below. Artifact number is application number + artifact type code (see list below) + sequential letter (A, B, C ...). The first artifact folder for an artifact type receives the letter A, the second B, etc..

Examples: 59123456PA, 59123456PB, 59123456ZA, 59123456ZB

Indicate quantity of a single type of artifact received but not scanned. Create individual artifact folder/box and artifact number for each Artifact Type.

☒

CD(s) containing:

computer program listing

Doc Code: Computer

☐

Artifact Type Code: P

pages of specification

and/or sequence listing

and/or table

Doc Code: Artifact

☒

Artifact Type Code: S

content unspecified or combined

Doc Code: Artifact

☐

Artifact Type Code: U

☐

Stapled Set(s) Color Documents or B/W Photographs

Doc Code: Artifact Artifact Type Code: C

☐

Microfilm(s)

Doc Code: Artifact Artifact Type Code: F

☐

Video tape(s)

Doc Code: Artifact Artifact Type Code: V

☐

Model(s)

Doc Code: Artifact Artifact Type Code: M

☐

Bound Document(s)

Doc Code: Artifact Artifact Type Code: B

☐

Confidential Information Disclosure Statement or Other Documents
marked Proprietary, Trade Secrets, Subject to Protective Order,
Material Submitted under MPEP 724.02, etc.

Doc Code: Artifact Artifact Type Code X

☐

Other, description: _____

Doc Code: Artifact Artifact Type Code: Z

Express Mail: EV740232055US No. 30212
Inventor / Applicant: HIROKAZU INOUE
Title: Method of inducing homologous recombination
Serial No. T&O Patent No. _____ Date: _____
Filed: Herewith Examiner: _____

Enclosed Are:
☒ PATENT APPLICATION (PCT-based)
☒ New Application Transmittal (PTO-1390) (x2)
☐ Fee Transmittal (in duplicate)
☒ Application Data Sheet (3pp) 3
☒ Declaration & Power Of Attorney 3 pgs.
☒ Pgs. of Claims
☒ Sheet(s) of Drawing(s)
☒ Formal _____ Informal

Continuation or Division

☐ ASSIGNMENT _____ pgs.

Transmittal(s)

Original _____ Copies

☒ INFORMATION DISCLOSURE (3pp) 5

☒ PTO-1449 _____ Refs.

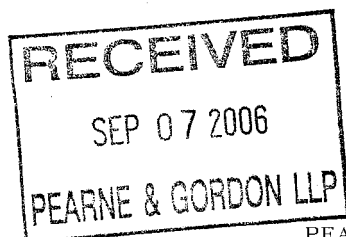
☒ AMENDMENT A (Prel.) (incl. sub. spec.)
in Response to Paper No. N/A

Priority Documents _____ listed below
Other Cert. of Express Mail:
Amends according to Art. 34
of PCT (2 pgs.); Spec. (31 pgs.);
Abstract (1 pg.); Statement
regarding computer readable
form of sequence listing;
CHECK(S) IN THE AMOUNT(S) OF
\$ _____ \$ CO-Rom (2 copies)
Seq. Listing (17 pgs.)
Copy of ISR (4 pgs.)
Client Coc 41066 Doc. No. _____
Int. SJS/alw Date 8/23/06

ACKNOWLEDGES RECEIPT OF:

IAPS Rec'd PCT/PTO 23 AUG 2006

10/590441



PEARNE & GORDON LLP

1801 EAST 9TH STREET

SUITE 1200

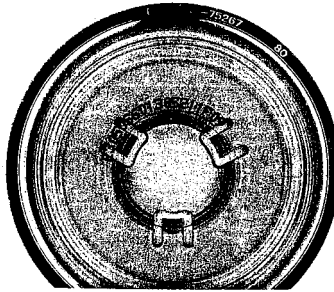
CLEVELAND, OHIO 44114-3108

14/3108



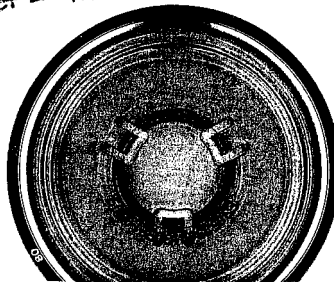
COPY

Applicant: Hirokazu Inoue
Title: Method of inducing homologous recombination
Date data was recorded on CRF: 8/23/06
Operating system used: MS-Windows
Att'y. Docket #: 41066



Applicant: Hirokazu Inoue
Title: Method of inducing homologous recombination
Date data was recorded on CRF: August 23, 2006
Operating system used: MS-Windows
Attorney Docket No.: 41066
COPY 2 OF 2

Applicant: Hirokazu Inoue
Title: Method of inducing homologous recombination
Date data was recorded on CRF: 8/23/06
Operating system used: MS-Windows
Att'y. Docket #: 41066



Applicant: Hirokazu Inoue
Title: Method of inducing homologous recombination
Date data was recorded on CRF: August 23, 2006
Operating system used: MS-Windows
Attorney Docket No.: 41066
COPY 1 OF 2

EXHIBIT

tabbles

A